Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

M.K.L., by and through her parents, J.K. and R.L.; and J.K. and R.L., individually and on their own behalf,

Plaintiffs,

vs.

SEATTLE SCHOOL DISTRICT NO. 1, KING COUNTY, STATE OF WASHINGTON, also known as SEATTLE PUBLIC SCHOOLS; NATHAN HALE HIGH SCHOOL; and DR. WILLIAM JACKSON, in his individual capacity, and on behalf of his marital community,

Defendants.

No. 2:25-cv-2334-RSM

DECLARATION OF ELISABETH READ IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS

NOTE ON MOTION CALENDAR: FEBRUARY 6, 2026

I, Elisabeth Read, declare as follows:

1. I am one of the attorneys for Defendants Seattle Public Schools, Nathan Hale High School, and Dr. William Jackson in the above-captioned matter. I am over age 18, competent to be a witness, and am making this declaration based on my personal knowledge and in support of Defendants' Motion to Dismiss.

BRYAN CAVE LEIGHTON PAISNER LLP
Attorneys at Law
999 Third Avenue, Suite 4400
Seattle, WA 98104
206-600-6650

2. Attached as **Exhibit 1** is a true and correct copy of Seattle Public Schools Policy No. 3207, dated July 8, 2020.

3. Attached as **Exhibit 2** is a true and correct copy of Seattle Public Schools Superintendent Procedure 3207SP, dated September 28, 2023.

4. Attached as **Exhibit 3** is a true and correct copy of Seattle Public Schools Policy No. 3207, dated April 3, 2024.

5. Attached as **Exhibit 4** is a true and correct copy of Seattle Public Schools Superintendent Procedure 3207SP, dated April 3, 2024.

6. Attached as **Exhibit 5** is a true and correct copy of an email message from Dr. William Jackson dated November 17, 2023.

7. Attached as **Exhibit 6** is a true and correct copy of an email message from Dr. William Jackson dated April 5, 2024.

8. Attached as **Exhibit 7** is a true and correct copy of an email message string between Dr. William Jackson and J.K. dated November 8, 2023.

9. Attached as **Exhibit 8** is a true and correct copy of the Seattle Public Schools Standard Tort Claim Form and Attachment, date stamped received April 8, 2025.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Elisabeth Read

BRYAN CAVE LEIGHTON PAISNER LLP
Attorneys at Law
999 Third Avenue, Suite 4400
Seattle, WA 98104
206-600-6650

CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on the 9th day of January, 2026, I arranged for service of the foregoing via ECF to the parties to this action as follows:

SEATTLE LITIGATION GROUP, PLLC
Seth A. Rosenberg
Albert H. Kirby
1215 4th Avenue, Suite 1100
Seattle, WA98161
Tel: 206-407-3300
Email: seth@seattlelitigation.com
albert@seattleltigation.com

Attorneys for Plaintiff

/s/ Suzy Windes
Suzy Windes, Legal Assistant

EXHIBIT 1

SEATTLE PUBLIC SCHOOLS	PROHIBITION OF HARASSMENT, INTIMIDATION, OR BULLYING – STUDENTS	Policy No. 3207 July 8, 2020 Page 1 of 4

The district is committed to a safe, civil, and equitable environment for all students, employees, parents/legal guardians, volunteers, and patrons, that is free from harassment, intimidation or bullying. To ensure the entire Seattle Public Schools community is educated or can work in a safe and nurturing environment, the following beliefs support this policy:

• **A belief** that a positive school climate built on the principles of "acceptance" and "respect" is conducive to learning and thus allows students or adults to do their best both cognitively and emotionally.

• **A belief** that the district has the opportunity to create safe and positive education and work environments through the implementation of policy and procedure.

• **A belief** that students, staff, parents, and the community have a vested interest in, and should work together to promote, healthy social, emotional, and learning outcomes.

This policy applies when the targeted person of harassment, intimidation, or bullying is a student. Refer to Policy 5207 if the targeted person is a District staff member or volunteer.

As defined in legislation, "harassment, intimidation or bullying" means any intentional electronic, written, verbal, or physical act including, but are not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:

- Physically harms a student or adult or damages the student's or adult's property; or
- Has the effect of substantially interfering with a student's education or the adult's work environment; or
- Is so severe, persistent or pervasive that it creates an intimidating or threatening educational or work environment; or
- Has the effect of substantially disrupting the orderly operation of school or work.

Nothing in this section requires the affected student or adult to actually possess a characteristic that is a basis for the harassment, intimidation or bullying.

"Other distinguishing characteristics" can include, but are not limited to, physical appearance, clothing or other apparel, socioeconomic status, or weight.

"Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

This policy recognizes that "harassment," "intimidation," and "bullying" are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors; however, this differentiation should not be considered part of the legal definition of these behaviors.

Harassment, intimidation or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronically transmitted messages or images.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or building, classroom, or program rules.

Training

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful, and inclusive learning community and shall be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements will be included in the accompanying Superintendent Procedure.

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation, and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement, and other community agencies.

Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor and to restore a positive school climate.

The district shall consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions may include, but are not limited to, counseling, correcting behavior and discipline, restorative practices when voluntary and appropriate, law enforcement referrals, and other remedies or responses as appropriate.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation, or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free appropriate public education (FAPE). The meeting should occur regardless of whether that harassment, intimidation, or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring, and/or reevaluation or revision of the student's IEP or Section 504 Plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The Superintendent shall appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

The Superintendent is directed to develop procedures for this policy, as necessary.

Adopted: December 2011
Revised: July 2020
Cross Reference: Policy Nos.2161; 3200; 3208; 3210; 3240; 3241; 5207; 5281
Related Superintendent Procedure: 3207SP; 3208SP; 3210SP.B; 3210SP.C; 5207SP
Previous Policies:
Legal References: RCW 28A.600.477 Prohibition of harassment, intimidation, and bullying; WAC 392-190-059 Harassment, intimidation, and bullying prevention policy and procedure – School districts
Management Resources: *Policy Alert*, August 2019; *Policy News*, July 2019

EXHIBIT 2

Superintendent Procedure 3207SP

Prohibition of Harassment, Intimidation, or Bullying of Students

Approved by: *s/Dr. Brent Jones* Date: 09/28/2023

Dr. Brent Jones, Superintendent

A. Introduction

Seattle School District strives to provide students with optimal conditions for learning by maintaining a school environment where every student is treated with respect and students are not physically or emotionally harmed. This procedure applies when the targeted person of harassment, intimidation, or bullying is a student.

In order to ensure respect, prevent harm, and improve school climate, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school-sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, School Board members, contractors, volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics.

Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation, or bullying of a student, or to whom such actions have been reported, must take prompt and appropriate action to stop the harassment, intimidation, or bullying; prevent its reoccurrence; and report it to the building level administrator and/or the district HIB Compliance Officer.

B. Definitions

Aggressor or Alleged Aggressor is a student, staff member, or other member of the school community who has allegedly engaged in harassment, intimidation, or bullying of a student.

Harassment, intimidation, or bullying is an intentional electronic, written, verbal, or physical act that:

1. Physically harms a student or damages the student's property; or
2. Has the effect of substantially interfering with a student's education; or
3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
4. Has the effect of substantially disrupting the orderly operation of the school.

Conduct that is "substantially interfering with a student's education" will be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, interest and participation in activities, and other indicators. Conduct that may

rise to the level of harassment, intimidation, or bullying may take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

Incident Reporting forms may be used by students, families, or staff to report incidents of harassment, intimidation, or bullying. An Incident Reporting Form can be found on the Office of Student Civil Rights' district webpage.

Retaliation occurs when a student is intimidated, threatened, coerced, or discriminated against for reporting harassment, intimidation, or bullying, participating in an investigation, or being identified as a targeted student.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers, volunteers, or paraprofessionals (both employees and contractors).

Targeted Student means a student against whom harassment, intimidation, or bullying has allegedly been perpetrated.

Complainant means the person who has reported the harassment, intimidation, or bullying.

C. Behaviors/Expressions

Harassment, intimidation, and bullying are separate but related behaviors directed toward students. Although this procedure defines the three behaviors, this differentiation should not be considered part of the legal definition of these behaviors. RCW 28A.600.477 presents HIB as a broad and inclusive term, and it is not meant to place undue emphasis on whether the behavior is "harassment," or "intimidation," or "bullying."

Harassment refers to any malicious act, which causes harm to any student's physical well-being. It can be discriminatory harassment (see also Board Policy No. 3210, Nondiscrimination, Acts of Hostility and Defamation), malicious harassment, or sexual harassment (see also Board Policy No. 3208, Sexual Harassment of Students Prohibited). Intimidation refers to implied or overt threats of physical violence toward a student. Bullying refers to unwanted aggressive behavior(s) by another student or group of students toward another student and that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. Bullying may inflict harm on the targeted student including physical or educational harm. Bullying can also occur through technology and is called electronic bullying or cyberbullying.

It is considered a violation of the state HIB law if any of the above behaviors occur.

D. Relationship to Other Laws

This procedure applies only to conduct toward students as reflected in RCW 28A.600.477 - Prohibition of Harassment, Intimidation, and Bullying. There are other laws, policies and procedures to address related issues such as sexual harassment or discrimination.

At least four Washington laws may apply to harassment or discrimination:

1. RCW 28A.600.477 – Prohibition Harassment, Intimidation and Bullying
2. RCW 28A.640.020 – Sexual Equality
3. RCW 28A.642 – Prohibition of Discrimination in Public Schools
4. RCW 49.60.010 – The Law Against Discrimination

The district will ensure its compliance with all state laws regarding harassment, intimidation, or bullying of a student. Nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate harassment or discrimination based on a student's membership in a legally protected class under local, state, or federal law.

E. Notice Requirements, Training, and Prevention

1. Dissemination

In each school and on the district's website, the district will prominently post information, as provided by the Office of Superintendent of Public Instruction (OSPI), on reporting harassment, intimidation, and bullying; the name and contact information for making a report to a school administrator; and the name and contact information for the district HIB Compliance Officer. The district's policy and procedure will be made available in a language that families can understand upon request.

Annually, the Superintendent will ensure that language provided by OSPI summarizing the policy and procedure is provided in student, staff, volunteer, and parent/guardian handbooks, is available in school and district offices and/or hallways, and is posted on the district's website.

Additional distribution of the policy and procedure is subject to the requirements of Chapter 392-405 WAC.

2. Education

Annually, students will receive age-appropriate information on the recognition and prevention of harassment, intimidation, and bullying at student orientation sessions and on other appropriate occasions. The information will include a copy of the Incident Reporting Form or a link to a web-based form.

3. Training

The district HIB Compliance Officer will participate in at least one mandatory training opportunity offered by OSPI. As feasible, the district HIB Compliance Officer will attend annual training as a refresher course, particularly in the event that changes to the HIB law or process occur. Staff will receive annual training on the school district's policy and procedure, including at a minimum staff roles and responsibilities, and the use of the district's Incident Reporting Form.

All SPS orientation sessions for staff or regular volunteers shall introduce the elements of the policy and procedure. Staff shall be provided information on recognizing and preventing harassment, intimidation, and bullying. Staff shall be reminded of their responsibility to report instances of suspected child abuse or neglect, and how that responsibility may be implicated by some allegations of harassment, intimidation, and bullying.

4. Prevention Strategies

The district will implement a range of prevention strategies including individual, classroom, school, and district-level approaches. The dissemination of prevention or intervention strategies falls under the purview of the district's Behavioral Health Services department.

Whenever possible, the district will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate harassment, intimidation, and bullying in schools.

F. Compliance Officer

1. The Superintendent designates the Director of Investigations & Compliance in the Human Resources Department - Office of Student Civil Rights (OSCR) to be the student harassment, intimidation, and bullying (HIB) Compliance Officer for the district for all complaints brought under this procedure.
2. The district Compliance Officer will:
    a. Serve as the district's primary contact regarding harassment, intimidation, and bullying of students.
    b. Provide or delegate OSCR staff to support and assist school building leaders in resolving HIB complaints.
    c. Receive copies of all Incident Reporting Forms and letters to parents/guardians providing the outcomes of investigations.
    d. The Director of Investigations & Compliance also serves as the district's designated civil rights Compliance Officer. Consequently, if upon review of the written document or during the course of an investigation, the district becomes aware of a potential violation of the district's nondiscrimination policy, Board Policy No. 3210, the Director of Investigations & Compliance will promptly notify the complainant that their complaint will proceed under both this policy/procedure and the nondiscrimination policy/procedure, (Board Policy No. 3210 and Superintendent Procedure 3210SP.B). The investigation and response timeline for the nondiscrimination complaint procedure begins when the district knows or should have known that a written report or investigation of harassment, intimidation, or bullying involves a potential violation of the district's nondiscrimination policy.
    e. The Compliance Officer or their designee will be familiar with the use of the student information system. The Compliance Officer may use this information to identify patterns of behavior or areas of concern.
    f. The Compliance Officer or their designee will ensure implementation of the policy and procedure by overseeing the investigative processes,

including ensuring that investigations are prompt, impartial, and thorough.

g. The Compliance Officer or their designee will serve as the primary contact on the policy and procedure between the district, the Office of the Education Ombuds, and the Office of the Superintendent of Public Instruction.
h. The Compliance Officer or their designee shall assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
i. The Compliance Officer or their designee shall provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
j. The Compliance Officer or their designee shall, in cases where, despite school efforts, a targeted student experiences harassment, intimidation, or bullying that threatens the student's health and safety, facilitate a meeting between district staff and the targeted student's parents/guardians to develop a safety plan to protect the student. Sample safety planning tools and templates are available by contacting the Office of Student Civil Rights.

G. Staff Intervention

All staff members will intervene and report when witnessing or receiving reports of harassment, intimidation, or bullying of a student. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of harassment, intimidation, or bullying, may require no further action under this procedure, other than tracking to ensure they are not repeated.

H. Filing an Incident Reporting Form

Incident Reporting Forms may be used by students, families, or staff to report alleged incidents of harassment, intimidation, or bullying of a student. The form can be found on the Office of Student Civil Rights webpage located within the SPS website.

Any student or students who believe they have been the target of unresolved, severe, or persistent harassment, intimidation or bullying, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent harassment, intimidation, or bullying may report incidents verbally or in writing to any staff member.

Time Period for Filing a Complaint

The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Reliance on a specific representation by the district that it had resolved the problem forming the basis of the complaint, when the problem was not in fact resolved; or 2) Withholding of information that the District was required to provide under RCW 28A.600.477.

I. Addressing Bullying – Reports

Step 1: Filing an Incident Reporting Form or Raising Concerns of HIB

In order to protect a targeted student from retaliation, a student need not reveal their identity on an Incident Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose their identity (non-confidential).

Status of Reporter

1. *Anonymous*: Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes, use online reporting processes, or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff.
2. *Confidential*: Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report.
3. *Non-confidential*: Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaints non-confidential will be informed that due process requirements may require that the district release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The district will, however, fully implement the anti-retaliation provision of this policy and procedure to protect complainants, targeted students, and witnesses.

All reports of unresolved, severe, or persistent harassment, intimidation, or bullying of a student will be recorded on a district HIB Incident Reporting Form. Staff, students, or community reporters shall submit such forms to the principal or designee and to the Office of Student Civil Rights. Once recorded, the principal or designee must communicate with the district HIB Compliance Officer regarding the complaints.

Step 2: Receiving Oral or Written HIB Concerns

All staff are responsible for receiving oral and written reports. Whenever possible, staff who initially receive an oral or written report of harassment, intimidation, or bullying of a student will attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, if the incident does not meet the definition of harassment, intimidation, or bullying, or if the conduct is not directed toward a student, no further action may be necessary under this procedure. If the parties involved are not satisfied with the attempt to resolve the situation, the staff member will notify the HIB Compliance Officer, the parties will be provided with a HIB Incident Reporting form, and given the opportunity to complete the form, thereby initiating the process for an official HIB investigation.

Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying

All reports of unresolved, severe, or persistent harassment, intimidation, or bullying of a student will be investigated with reasonable promptness. Any student may have a trusted adult with them throughout the reporting and investigation process.

a. Upon receipt of the Incident Reporting Form or other writing that alleges unresolved, severe, or persistent harassment, intimidation, or bullying of a student, the school's principal or designee will contact the district's HIB Compliance Officer or their designee to determine who shall begin the investigation. In most cases, the investigation will be conducted by a school building leader in order to also assess the application of provisions of the student code of conduct ("Basic Rules of Seattle Public Schools"). If there is potential for clear and immediate physical harm to the targeted student, district staff will immediately contact law enforcement and inform the parent/guardian.
b. During the course of the investigation, district staff will take reasonable measures to ensure that no further incidents of harassment, intimidation, or bullying occur between the targeted student and the alleged aggressor. If necessary, the district will implement safety plans for the students involved. The plan may include, but is not limited to, changing seating arrangements for the targeted student, complainant, and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the targeted student; altering the alleged aggressor's schedule and access to the targeted student, and any other measures deemed appropriate that address safety concerns and afford all parties with their due process rights.
c. If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the district's nondiscrimination policy (Board Policy No. 3210), the investigator will promptly notify the Director of Investigations & Compliance or designee. Upon receipt of this information, the Director of Investigations & Compliance or designee must notify the complainant that their complaint will proceed under the discrimination complaint procedure as detailed in Superintendent Procedure 3210SP.B., as well as this HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure set forth in Superintendent Procedure 3210SP.B will apply and begins when the district knows or should have known that a written report of harassment, intimidation, or bullying involves allegations of a possible violation of the district's nondiscrimination policy.
d. Within two (2) school days after receiving the Incident Reporting Form, the principal or designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation, or bullying of students.
e. In rare cases, when after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the targeted student or the alleged aggressor to involve their parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation, or bullying of a student. If professional school personnel suspect that a student is

subject to abuse or neglect, they must follow district policy and state law regarding the mandatory reporting of suspected abuse to Child Protective Services.

f. The investigation will include, at a minimum:
    - An interview with the complainant;
    - An interview with the targeted student, if different than the complainant;
    - An interview with the alleged aggressor;
    - A review of any previous complaints involving either the targeted student or the alleged aggressor; and
    - Interviews with other students or staff members who may have knowledge of the alleged incident.
g. The principal or designee may determine that other steps must be taken before the investigation is complete.
h. The investigation will be completed as soon as practicable, but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the designated investigator will provide the parent/guardian and/or the student making the report with weekly updates.
i. No later than two (2) school days after the investigation has been completed and submitted to the HIB Compliance officer, the principal or designee will respond in writing or verbally to the parent/guardian of the targeted student and the alleged aggressor stating:
    - The results of the investigation;
    - Whether the allegations were found to be factual;
    - Whether there was a violation of Board Policy No. 3207 and/or the student code of conduct ("Basic Rules of Seattle Public Schools").; and
    - The process for the targeted student to file an appeal if the student disagrees with results.

Because of the legal requirement regarding the confidentiality of student records, the principal or their designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

If a district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the targeted student and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the targeted student or the alleged aggressor to involve their family. If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters they must follow district policy for reporting suspected cases to Child Protective Services.

If the incident cannot be resolved at the school level, the principal or designee will request assistance from the district's HIB Compliance Officer.

Step 4: Corrective Measures for the Aggressor

After completion of the investigation, the principal or designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve discipline will be implemented according to the *Basic Rules of Seattle Public Schools* and relevant district policies. Depending on the severity of the conduct, remedial action may include, but it is not limited to, counseling, education, change in classrooms, discipline, and/or referral to law enforcement. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

If in an investigation a principal or principal's designee found that a student knowingly made a false allegation of harassment, intimidation, or bullying, that student may be subject to corrective measures, including discipline.

Step 5: Targeted Student's Right to Appeal

If the targeted student or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the HIB Compliance Officer, the Superintendent's designee for appeals, by filing a written notice of appeal within five (5) school days of receiving the written decision. However, if the Compliance Officer provided direct support to the district staff on the investigation, the appeal will be assigned to an independent hearing examiner. The Compliance Officer or hearing examiner will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal. This right of appeal does not afford the targeted student or targeted student's parent/guardian a right to appeal the corrective action or discipline imposed against another student.

If the targeted student or parent/guardian remains dissatisfied after the initial appeal, an appeal may be filed with the Discipline Appeal Council (DAC), the School Board's designee for appeals by filing a written notice of appeal with the Office of Student Civil Rights on or before the fifth (5) school day following the date upon which the targeted student received the HIB Compliance Officer's or hearing examiner's written decision.

An appeal before the Discipline Appeal Council must be heard on or before the tenth (10) school day following the filing of the written notice of appeal to the Office of Student Civil Rights. The appeal shall be based on the facts previously raised by the complainant and/or investigated by the district and the written decision of the Compliance Officer. The Discipline Appeal Council will review the record and render a written decision on the merits of the appeal on or before the fifth (5) school day following the termination of the hearing, and will provide a copy of the decision to all parties involved. The Discipline Appeal Council's decision will either affirm or reverse the prior written decision regarding whether harassment, intimidation, or bullying occurred. The Discipline Appeal Council's decision will be the final district decision.

Step 6: Discipline/Corrective Action

The district will take prompt and equitable corrective measures within its authority on findings of harassment, intimidation, or bullying.

Corrective measures for a student who commits an act of harassment, intimidation, or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Corrective measures may include, but are not limited to, counseling, correcting behavior and discipline, restorative practices when voluntary and appropriate, and other remedies or responses as appropriate. Corrective measures that involve student discipline will be implemented according to district policy.

If the conduct was of a public nature or involved groups of students or bystanders, the district will strongly consider school-wide training or other activities to address the incident.

If staff have been found to be in violation of this policy and procedure, the district may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of Chapter 181-87 WAC, commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practice may propose disciplinary action on a certificate, up to and including revocation. Contractor violations of this policy may include the loss of contracts.

Step 7: Support for the Targeted Student

Students found to have been subjected to harassment, intimidation, or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student will be addressed and remedied as appropriate.

J. Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Program (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation, or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free appropriate public education (FAPE). The meeting should occur regardless of whether that harassment, intimidation, or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring, and/or reevaluation or revision of the student's IEP or Section 504 Plan, to ensure the student receives a FAPE.

K. Immunity/Retaliation

No district employee, student, or volunteer may engage in reprisal or retaliation against a targeted student, witness, or other person who brings forward information about an alleged act of harassment, intimidation, or bullying. Retaliation is prohibited and will result in appropriate discipline.

L. Other Resources

Students and families should use the district's complaint and appeal procedures as a first response to allegations of harassment, intimidation, or bullying of a student. However, nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected class under local, state, or federal law.

M. For questions or more information, students and families can reach out to the following state or federal agencies:

- OSPI Equity and Civil Rights Office (for discrimination complaints)
  360.725.6162
  Email: equity@k12.wa.us
  https://www.k12.wa.us/policy-funding/equity-and-civil-rights
- Washington State Human Rights Commission
  800.233.3247
  www.hum.wa.gov/index.html
- Office for Civil Rights, U.S. Department of Education, Region IX
  206.607.1600
  Email: OCR.Seattle@ed.gov
  www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service
  877.292.3804
  www.justice.gov/crt/
- Office of the Education Ombuds
  866.297-2597
  Email: OEOinfo@gov.wa.gov
  http://oeo.wa.gov/
- OSPI Safety Center
  Email: Schoolsafety@k12.wa.us
  360.725-6068
  https://www.k12.wa.us/student-success/health-safety/school-safety-center

N. Other District Policies and Procedures

Nothing in this policy or procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of harassment, intimidation, or bullying as defined herein, but which are, or may be, prohibited by other district or school rules.

O. Disclaimer of Liability

Pursuant to established School Board policy, nothing in this policy or procedure shall be construed to provide a private right of action in the courts.

Approved: December 2016
Revised: September 2023; June 2021; March 2018
Cross Reference: Policy Nos. 2161; 2162; 3200; 3201; 3207; 3208; 3210; 3240; 3421; 5006; 5207; 5245; 5281: Superintendent Procedures 2161SP; 2162SP; 3208SP.A; 3208SP.B; 3210SP.B; 3421SP; 5207SP;
Legal References: RCW 28A.600.477 Prohibition of harassment, intimidation, and bullying

EXHIBIT 3

SEATTLE PUBLIC SCHOOLS	PROHIBITION OF HARASSMENT, INTIMIDATION, AND BULLYING OF STUDENTS	Policy No. 3207 April 3, 2024 Page 1 of 4

The district is committed to a safe, civil, and equitable environment that is free from harassment, intimidation, or bullying of any student. The following beliefs support this policy:

• **A belief** that a positive school climate built on the principles of "acceptance" and "respect" is conducive to learning and thus allows students to do their best both cognitively and emotionally.

• **A belief** that the district has the opportunity to create safe and positive educational environments through the implementation of policy and procedure.

• **A belief** that students, staff, parents, and the community have a vested interest in, and should work together to promote, healthy social emotional well-being, and learning outcomes.

This policy prohibits harassment, intimidation, and bullying of students and applies when the targeted person of harassment, intimidation, or bullying is a student enrolled in the district and the aggressor is also a student enrolled in the district. This policy and accompanying procedure do not govern harassment, intimidation, or bullying of or by an employee, volunteer, parent/legal guardian, or community member.

As defined in Chapter 28A.600 RCW, "harassment, intimidation or bullying" means any intentional electronic, written, verbal, or physical act including, but are not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and RCW 28A.642.010, or other distinguishing characteristics, when the intentional act:

- Physically harms a student or damages the student's property; or
- Has the effect of substantially interfering with a student's education; or
- Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of school.

Nothing in this section requires the affected student actually possess a characteristic that is a basis for the harassment, intimidation, or bullying.

"Other distinguishing characteristics" may include, but are not limited to, physical appearance, clothing or other apparel, socioeconomic status, or weight.

"Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

This policy recognizes that "harassment," "intimidation," and "bullying" are separate but related behaviors toward a student. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors; however, this differentiation should not be considered part of the legal definition of these behaviors.

Harassment, intimidation, or bullying may take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronically transmitted messages or images directed toward a student.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other district policies or building, classroom, or program rules.

Training

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful, and inclusive learning community of students and shall be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements will be included in the accompanying Superintendent Procedure.

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation, and bullying toward students. In its efforts to train students, the district will seek partnerships with families, law enforcement, and other community agencies.

Supports and Interventions

Supports and interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor and to restore a positive school climate.

The district shall consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions may include, but are not limited to, counseling, correcting behavior and discipline, restorative practices when voluntary and appropriate, law enforcement referrals, and other remedies or responses as appropriate.

- **Students with Individual Education Plans or Section 504 Plans**

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation, or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free appropriate public education (FAPE). The meeting should occur regardless of whether that harassment, intimidation, or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring, and/or reevaluation or revision of the student's IEP or Section 504 Plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm a student for reporting harassment, intimidation, or bullying, being identified as a targeted student, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees who knowingly report or corroborate false allegations will be subject to appropriate discipline. However, students or employees will not be disciplined for making a report in good faith.

Compliance Officer

The Superintendent shall appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and oversee policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

The Superintendent is directed to develop procedures for this policy, as necessary.

Adopted: December 2011
Revised: April 2024; July 2020
Cross Reference: Policy Nos. 2161; 3200; 3208; 3210; 3211; 3240; 3241; 5281; 5245
Related Superintendent Procedures: 3207SP; 3208SP.A; 3207SP.B 3210SP.B; 3211SP;
Previous Policies:
Legal References: RCW 28A.600.477 Prohibition of harassment, intimidation, and bullying; RCW 28A.600.480 Reporting of harassment, intimidation, or bullying—Retaliation prohibited—Immunity; WAC 392-190-059 Harassment, intimidation, and bullying prevention policy and procedure – School districts
Management Resources: *WSSDA Policy & Legal News/ Policy Alert*, July 2023; August 2019; July 2019

EXHIBIT 4

Superintendent Procedure 3207SP

Prohibition of Harassment, Intimidation, or Bullying of Students

Approved by: *s/Dr. Brent Jones* Date: April 3, 2024

Dr. Brent Jones, Superintendent

A. Introduction

Seattle School District strives to provide students with optimal conditions for learning by maintaining a school environment where every student is treated with respect and students are not physically or emotionally harmed.

This procedure and the accompanying policy apply when the targeted person of harassment, intimidation, or bullying is a student and the aggressor is also a student.

In order to ensure respect, prevent harm, and improve school climate, it is a violation of district policy for a student to be harassed, intimidated, or bullied by other students in the school community, at school-sponsored events, or when such actions create a substantial disruption to the educational process. Student(s) will not be harassed because of any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics.

Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation, or bullying of a student, or to whom such actions have been reported, must take prompt and appropriate action to stop the harassment, intimidation, or bullying; prevent its reoccurrence; and report it to the building level administrator and/or the district HIB Compliance Officer.

B. Definitions

Aggressor or Alleged Aggressor is a student who has allegedly engaged in harassment, intimidation, or bullying of a student.

Harassment, intimidation, or bullying (HIB) means an intentional electronic, written, verbal, or physical act that:

1. Physically harms a student or damages the student's property; or
2. Has the effect of substantially interfering with a student's education; or
3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
4. Has the effect of substantially disrupting the orderly operation of the school.

Conduct that is "substantially interfering with a student's education" will be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, interest and participation in activities, and other indicators. Conduct that may

rise to the level of harassment, intimidation, or bullying may take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

Incident Reporting forms may be used by students, families, or staff to report incidents of harassment, intimidation, or bullying of a student by a student. An Incident Reporting Form can be found on the Office of Student Civil Rights' district webpage.

This procedure does not govern harassment, intimidation, or bullying toward or by an employee, staff, volunteer, parent/legal guardian, or community member.

Retaliation occurs when a student is intimidated, threatened, coerced, or discriminated against for reporting harassment, intimidation, or bullying, participating in an investigation, or being identified as a targeted student.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, school social workers, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers, volunteers, or paraprofessionals (both employees and contractors).

Targeted Student means a student against whom harassment, intimidation, or bullying has allegedly been perpetrated.

Complainant means the person who has reported the harassment, intimidation, or bullying.

C. Behaviors/Expressions

Harassment, intimidation, and bullying are separate but related behaviors directed toward students. Although this procedure defines the three behaviors, this differentiation should not be considered part of the legal definition of these behaviors. RCW 28A.600.477 presents HIB as a broad and inclusive term, and it is not meant to place undue emphasis on whether the behavior is "harassment," or "intimidation," or "bullying."

Harassment refers to any malicious act, which causes harm to any student's physical well-being. It may be discriminatory harassment (see also Board Policy No. 3210, Nondiscrimination, Acts of Hostility and Defamation), malicious harassment, or sexual harassment (see also Board Policy No. 3208, Sexual Harassment of Students Prohibited). Intimidation refers to implied or overt threats of physical violence toward a student. Bullying refers to unwanted aggressive behavior(s) by another student or group of students toward another student and that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. Bullying may inflict harm on the targeted student including physical or educational harm. Bullying may also occur through technology and is called electronic bullying or cyberbullying.

It is considered a violation of the state HIB law if any of the above behaviors occur.

D. Relationship to Other Laws

This procedure applies only to conduct toward students as reflected in RCW 28A.600.477 - Prohibition of Harassment, Intimidation, and Bullying. There are other laws, policies and procedures to address related issues such as sexual harassment or discrimination.

At least four Washington laws may apply to harassment or discrimination:

1. RCW 28A.600.477 – Prohibition Harassment, Intimidation and Bullying
2. RCW 28A.640.020 – Sexual Equality
3. RCW 28A.642 – Prohibition of Discrimination in Public Schools
4. RCW 49.60.010 – The Law Against Discrimination

The district will ensure its compliance with all state laws regarding harassment, intimidation, or bullying of a student. Nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate harassment or discrimination based on a student's membership in a legally protected class under local, state, or federal law.

E. Notice Requirements, Training, and Prevention

1. Dissemination

In each school and on the district's website, the district will prominently post information, as provided by the Office of Superintendent of Public Instruction (OSPI), on reporting harassment, intimidation, and bullying; the name and contact information for making a report to a school administrator; and the name and contact information for the district HIB Compliance Officer. The district's policy and procedure will be made available in a language that families can understand upon request.

Annually, the Superintendent will ensure that language provided by OSPI summarizing the policy and procedure is provided in student, staff, volunteer, and parent/guardian handbooks, is available in school and district offices and/or hallways, and is posted on the district's website.

Additional distribution of the policy and procedure is subject to the requirements of Chapter 392-405 WAC.

2. Education

Annually, students will receive age-appropriate information on the recognition and prevention of harassment, intimidation, and bullying at student orientation sessions and on other appropriate occasions. The information will include a copy of the Incident Reporting Form or a link to a web-based form.

3. Training

The district HIB Compliance Officer will participate in at least one mandatory training opportunity offered by OSPI. As feasible, the district HIB Compliance Officer will attend annual training as a refresher course, particularly in the event that changes to the HIB law or process occur. Staff will receive annual training on the school district's policy and

procedure, including at a minimum staff roles and responsibilities, and the use of the district's Incident Reporting Form.

All SPS orientation sessions for staff or regular volunteers shall introduce the elements of the policy and procedure. Staff shall be provided information on recognizing and preventing harassment, intimidation, and bullying. Staff shall be reminded of their responsibility to report instances of suspected child abuse or neglect, and how that responsibility may be implicated by some allegations of harassment, intimidation, and bullying.

4. Prevention Strategies

The district will implement a range of prevention strategies including individual, classroom, school, and district-level approaches. The dissemination of prevention or intervention strategies falls under the purview of the district's Behavioral Health Services department.

Whenever possible, the district will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate harassment, intimidation, and bullying in schools.

F. Compliance Officer

1. The Superintendent designates the Director of Investigations & Compliance in the Human Resources Department - Office of Student Civil Rights (OSCR) to be the student harassment, intimidation, and bullying (HIB) Compliance Officer for the district for all complaints brought under this procedure.
2. The district Compliance Officer will:
    a. Serve as the district's primary contact regarding harassment, intimidation, and bullying of students.
    b. Provide or delegate OSCR staff to support and assist school building leaders in resolving HIB complaints.
    c. Receive copies of all Incident Reporting Forms and letters to parents/guardians providing the outcomes of investigations.
    d. The Director of Investigations & Compliance also serves as the district's designated civil rights Compliance Officer. Consequently, if upon review of the written document or during the course of an investigation, the district becomes aware of a potential violation of the district's nondiscrimination policy, Board Policy No. 3210, the Director of Investigations & Compliance will promptly notify the complainant that their complaint will proceed under both this policy/procedure and the nondiscrimination policy/procedure, (Board Policy No. 3210 and Superintendent Procedure 3210SP.B). The investigation and response timeline for the nondiscrimination complaint procedure begins when the district knows or should have known that a written report or investigation of harassment, intimidation, or bullying involves a potential violation of the district's nondiscrimination policy.
    e. The Compliance Officer or their designee will be familiar with the use of the student information system. The Compliance Officer may use this information to identify patterns of behavior or areas of concern.

f. The Compliance Officer or their designee will ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
g. The Compliance Officer or their designee will serve as the primary contact on the policy and procedure between the district, the Office of the Education Ombuds, and the Office of the Superintendent of Public Instruction.
h. The Compliance Officer or their designee shall assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
i. The Compliance Officer or their designee shall provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
j. The Compliance Officer or their designee shall, in cases where, despite school efforts, a targeted student experiences harassment, intimidation, or bullying that threatens the student's health and safety, facilitate a meeting between district staff and the targeted student's parents/guardians to develop a safety plan to protect the student. Sample safety planning tools and templates are available by contacting the Office of Student Civil Rights.

G. Staff Intervention

All staff members will intervene and report when witnessing or receiving reports of harassment, intimidation, or bullying of a student. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of harassment, intimidation, or bullying, or conduct not directed toward a student may require no further action under this procedure, other than tracking to ensure they are not repeated.

H. Filing an Incident Reporting Form

Incident Reporting Forms may be used by students, families, or staff to report alleged incidents of harassment, intimidation, or bullying of a student. The form may be found on the Office of Student Civil Rights webpage located within the SPS website.

Any student or students who believe they have been the target of unresolved, severe, or persistent harassment, intimidation or bullying, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent harassment, intimidation, or bullying may report incidents verbally or in writing to any staff member.

1. Time Period for Filing a Complaint

The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Reliance on a specific representation by the district that it had resolved the problem forming the basis of the complaint, when the problem was not in fact resolved; or 2) Withholding of information that the District was required to provide under RCW 28A.600.477.

I. Addressing Bullying – Reports

Step 1: Filing an Incident Reporting Form or Raising Concerns of HIB

In order to protect a targeted student from retaliation, a student need not reveal their identity on an Incident Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose their identity (non-confidential).

Status of Reporter

1. *Anonymous*: Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes, use online reporting processes, or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff.
2. *Confidential*: Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report.
3. *Non-confidential*: Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaints non-confidential will be informed that due process requirements may require that the district release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The district will, however, fully implement the anti-retaliation provision of this policy and procedure to protect complainants, targeted students, and witnesses.

All reports of unresolved, severe, or persistent harassment, intimidation, or bullying of a student will be recorded on a district HIB Incident Reporting Form. Staff, students, or community reporters shall submit such forms to the principal or designee and to the Office of Student Civil Rights. Once recorded, the principal or designee must communicate with the district HIB Compliance Officer regarding the complaints.

Step 2: Receiving Oral or Written HIB Concerns

All staff are responsible for receiving oral and written reports. Whenever possible, staff who initially receive an oral or written report of harassment, intimidation, or bullying of a student will attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, if the incident does not meet the definition of harassment, intimidation, or bullying, or if the conduct is not directed toward a student, no further action may be necessary under this procedure. If the parties involved are not satisfied with the attempt to resolve the situation, the staff member will notify the HIB Compliance Officer, the parties will be provided with a HIB Incident Reporting form, and given the opportunity to complete the form, thereby initiating the process for an official HIB investigation.

Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying

All reports of unresolved, severe, or persistent harassment, intimidation, or bullying of a student will be investigated with reasonable promptness. Any student may have a trusted adult with them throughout the reporting and investigation process.

a. Upon receipt of the Incident Reporting Form or other writing that alleges unresolved, severe, or persistent harassment, intimidation, or bullying of a student, the school's principal or designee will contact the district's HIB Compliance Officer or their designee to determine who shall begin the investigation. In most cases, the investigation will be conducted by a school building leader in order to also assess the application of provisions of the student code of conduct ("Basic Rules of Seattle Public Schools"). If there is potential for clear and immediate physical harm to the targeted student, district staff will immediately contact law enforcement and inform the parent/guardian.
b. Allegations involving a staff member are not handled under the processes in this procedure, but should be reported to the district Human Resources Department for review and response. Additional Board Policies, Superintendent Procedures, and laws may apply, including WAC 392-190-0555.
c. During the course of the investigation of allegations of student-to-student HIB under this procedure, district staff will take reasonable measures to ensure that no further incidents of harassment, intimidation, or bullying occur between the targeted student and the alleged aggressor. If necessary, the district will implement safety plans for the students involved. The plan may include, but is not limited to, changing seating arrangements for the targeted student, complainant, and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the targeted student; altering the alleged aggressor's schedule and access to the targeted student, and any other measures deemed appropriate that address safety concerns and afford all parties with their due process rights.
d. If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the district's nondiscrimination policy (Board Policy No. 3210), the investigator will promptly notify the Director of Investigations & Compliance or designee. Upon receipt of this information, the Director of Investigations & Compliance or designee must notify the complainant that their complaint will proceed under the discrimination complaint procedure as detailed in Superintendent Procedure 3210SP.B., as well as this HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure set forth in Superintendent Procedure 3210SP.B will apply and begins when the district knows or should have known that a written report of harassment, intimidation, or bullying involves allegations of a possible violation of the district's nondiscrimination policy.
e. Within two (2) school days after receiving the Incident Reporting Form, the principal or designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation, or bullying of students.
f. In rare cases, when after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the targeted student or the alleged aggressor to involve their parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation, or bullying of a student. If professional school personnel suspect that a student is subject to abuse or neglect, they must follow district policy and state law

regarding the mandatory reporting of suspected abuse to Child Protective Services.

g. The investigation will include, at a minimum:
    - An interview with the complainant;
    - An interview with the targeted student, if different than the complainant;
    - An interview with the alleged aggressor;
    - A review of any previous complaints involving either the targeted student or the alleged aggressor; and
    - Interviews with other students or staff members who may have knowledge of the alleged incident.
h. The principal or designee may determine that other steps must be taken before the investigation is complete.
i. The investigation will be completed as soon as practicable, but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the designated investigator will provide the parent/guardian and/or the student making the report with weekly updates.
j. No later than two (2) school days after the investigation has been completed and submitted to the HIB Compliance officer, the principal or designee will respond in writing or verbally to the parent/guardian of the targeted student and the alleged aggressor stating:
    - The results of the investigation;
    - Whether the allegations were found to be factual;
    - Whether there was a violation of Board Policy No. 3207 and/or the student code of conduct ("Basic Rules of Seattle Public Schools").; and
    - The process for the targeted student to file an appeal if the student disagrees with results.

    Because of the legal requirement regarding the confidentiality of student records, the principal or their designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

    If the district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the targeted student and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the targeted student or the alleged aggressor to involve their family. If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters they must follow district policy for reporting suspected cases to Child Protective Services.

    If the incident cannot be resolved at the school level, the principal or designee will request assistance from the district's HIB Compliance Officer.

Step 4: Corrective Measures for the Aggressor

After completion of the investigation, the principal or designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve discipline will be implemented according to the *Basic Rules of Seattle Public Schools* and relevant district policies. Depending on the severity of the conduct, remedial action may include, but it is not limited to, counseling, education, change in classrooms, discipline, and/or referral to law enforcement. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

If in an investigation a principal or principal's designee found that a student knowingly made a false allegation of harassment, intimidation, or bullying, that student may be subject to corrective measures, including discipline.

Step 5: Targeted Student's Right to Appeal

If the targeted student or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the district's HIB Compliance Officer by filing a written notice of appeal within five (5) school days of receiving the written decision. However, if the Compliance Officer provided direct support to the district staff on the investigation, the appeal will be assigned to an independent hearing examiner. The Compliance Officer or hearing examiner will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal. This right of appeal does not afford the targeted student or targeted student's parent/guardian a right to appeal the corrective action or discipline imposed against another student.

If the targeted student or parent/guardian remains dissatisfied after the initial appeal, an appeal may be filed with the Superintendent or their designee by filing a written notice of appeal with the Office of Student Civil Rights on or before the fifth (5) school day following the date upon which the targeted student received the HIB Compliance Officer's or hearing examiner's written decision.

On or before the tenth (10) school day following the filing of the written notice of appeal to the Office of Student Civil Rights, the Superintendent or their designee will review the appeal. The appeal shall be based on the facts previously raised by the complainant and/or investigated by the district and the written decision of the Compliance Officer. The Superintendent or their designee will review the record and render a written decision on the merits of the appeal on or before the fifth (5) school day following their review of the written record, and will provide a copy of the decision to all parties involved. The Superintendent's or designee's decision will either affirm or reverse the prior written decision regarding whether harassment, intimidation, or bullying occurred, and will be the final district decision.

Step 6: Discipline/Corrective Action

The district will take prompt and equitable corrective measures within its authority on findings of harassment, intimidation, or bullying.

Corrective measures for a student who commits an act of harassment, intimidation, or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Corrective measures may include, but are not limited to, counseling, correcting behavior and discipline, restorative practices when voluntary and appropriate, and other remedies or responses as appropriate. Corrective measures that involve student discipline will be implemented according to district policy.

If the conduct was of a public nature or involved groups of students or bystanders, the district will strongly consider school-wide training or other activities to address the incident.

If staff have been found to be in violation of this policy and procedure by not reporting harassment, intimidation, or bullying or not preventing retaliation, the district may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of Chapter 181-87 WAC, commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practice may propose disciplinary action on a certificate, up to and including revocation. Contractor violations of this policy may include the loss of contracts.

Step 7: Support for the Targeted Student

Students found to have been subjected to harassment, intimidation, or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student will be addressed and remedied as appropriate.

J. Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Program (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation, or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free appropriate public education (FAPE). The meeting should occur regardless of whether that harassment, intimidation, or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring, and/or reevaluation or revision of the student's IEP or Section 504 Plan, to ensure the student receives a FAPE.

K. Immunity/Retaliation

No district employee, student, or volunteer may engage in reprisal or retaliation against a targeted student, witness, or other person who brings forward information about an

alleged act of harassment, intimidation, or bullying. Retaliation is prohibited and will result in appropriate discipline.

L. Other Resources

Students and families should use the district's complaint and appeal procedures as a first response to allegations of harassment, intimidation, or bullying of a student. However, nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected class under local, state, or federal law.

M. For questions or more information, students and families can reach out to the following state or federal agencies:

- OSPI Equity and Civil Rights Office (for discrimination complaints)
  360.725.6162
  Email: equity@k12.wa.us
  https://www.k12.wa.us/policy-funding/equity-and-civil-rights
- Washington State Human Rights Commission
  800.233.3247
  www.hum.wa.gov/index.html
- Office for Civil Rights, U.S. Department of Education, Region IX
  206.607.1600
  Email: OCR.Seattle@ed.gov
  www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service
  877.292.3804
  www.justice.gov/crt/
- Office of the Education Ombuds
  866.297-2597
  Email: OEOinfo@gov.wa.gov
  http://oeo.wa.gov/
- OSPI Safety Center
  Email: Schoolsafety@k12.wa.us
  360.725-6068
  https://www.k12.wa.us/student-success/health-safety/school-safety-center

N. Other District Policies and Procedures

Nothing in this policy or procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of harassment, intimidation, or bullying as defined herein, but which are, or may be, prohibited by other district or school rules.

Allegations involving a staff member are not handled under the processes in this procedure, however additional Board Policies, Superintendent Procedures, and administrative guidelines/procedures may apply, including, but not limited to the following policies and their associated procedures:

- Board Policy No. 4220, Complaints Concerning Staff or Programs

- Board Policy No. 3210, Nondiscrimination, Acts of Hostility and Defamation
- Board Policy No. 3208, Sexual Harassment
- Board Policy No. 3246, Restraint, Isolation and Other Uses of Physical Crisis
- Board Policy No. 5006, Unprofessional Conduct of Staff
- Board Policy No. 5253, Maintaining Professional Staff/Student Boundaries
- Board Policy No. 5281, Staff Disciplinary Action and Discharge

O. Disclaimer of Liability

Pursuant to established School Board policy, nothing in this policy or procedure shall be construed to provide a private right of action in the courts.

Approved: December 2016
Revised: April 2024; September 2023; June 2021; March 2018
Cross Reference: Policy Nos. 2161; 2162; 3200; 3201; 3207; 3208; 3210; 3240; 3421; 5006; 5207; 5245; 5281; Superintendent Procedures 2161SP; 2162SP; 3208SP.A; 3208SP.B; 3210SP.B; 3421SP; 5207SP
Legal References: RCW 28A.600.477 Prohibition of harassment, intimidation, and bullying

EXHIBIT 5

From: William Jackson <wljackson@seattleschools.org>
Sent time: 11/17/2023 05:13:51 PM
To: nmkassa@seattleschools.org
Subject: NHHS Friday 11/17 Message to Families

Beloved Families,

I hope you had a great week and are looking forward to our short holiday week ahead. As a reminder, next Thursday, November 23rd, and Friday, November 24th we do not have school in observance of Thanksgiving and Native American Heritage Day. School will dismiss on Wednesday, November 22nd at our regular time of 2:25pm.

I do want to take time in this message to share concerning information and encourage your partnership. There have been reports of a rise in antisemitism at Nathan Hale High School and our community. This has caused many of our Jewish students to feel unsafe and unwelcome in their learning environments as well as our neighboring community. I want our families and community to be aware of this, and know that just as we have experienced racism, transphobia, islamophobia, we take measures in partnership with you to address antisemitism as well. Moreover, this is unacceptable. Any form of bullying, harassment, or intimidation against any student, educator, or family and community member is not tolerated in our community.

As we have experienced this rise in discrimination in our community and beyond, I am learning that the common denominator is unsupervised student usage of mobile devices. Unfortunately, this has negative impacts on student connectivity in and out of our school, which causes divisions in student identity and connections. This threatens what we hold most dear to our culture at Nathan Hale: being a welcoming environment for all. This school year has unfortunately tested that value. In our partnership, I ask that you talk with your students, get to know what they are viewing, and learn about their mobile device habits. Also, please encourage them to continue to keep their phones away during school, as our device policy has had a positive impact on student learning and connectivity during our classroom learning time. Finally, if you or any of your students have experienced antisemitism, hatred, or discrimination of any kind, I ask that you report this to a trusted educator, security, counselor, or administration so we can take proper measures to ensure school safety.

Transgender Awareness Week (11/13-19)

A one-week celebration leading up to the Transgender Day of Remembrance, which memorializes victims of transphobic violence. Transgender Day of Remembrance occurs annually on November 20th, when transgender advocates raise awareness of the transgender community through education and advocacy activities.

Native American Heritage Month

This commemorative month aims to provide a platform for Native people in the United States of America to share their culture, traditions, music, crafts, dance, and ways and concepts of life. This gives Native people the opportunity to express to their community, both city, county and state officials their concerns and solutions for building bridges of understanding and friendship in their local area.

This weekend! Theater Production: *Almost, Maine*

The fall theater production is *Almost, Maine*. It's a story of a small town and its residents, whether they have lived there their entire lives or are simply passing through, the town has left its mark on them. It's also a story about love: people falling in love and out of it, rekindling old loves or leaving them behind, discovering new loves and learning what they mean. Come and fall in love with the story of *Almost, Maine*, tonight and tomorrow, November 18th at 7:00pm and a matinee tomorrow at 2:00pm. Student tickets are $7 with ASB and $10 without. Tickets are available at nathanhaletheatre.com and at the door.

NH Winter Open House and Plant Sale, Sun 11/19

Come join the Nathan Hale Horticulture students at the Winter Open House this Sunday, 11/19 from 11:00AM to 1:00PM at the Nathan Hale Greenhouse. Our students have been hard at work all quarter and it's time to celebrate with our annual Winter Open House and Plant Sale! Four varieties of student grown poinsettias are available online now! In person sales of student-made succulent gardens, bio-active terrariums, assorted houseplants, and fruits & veggies from the garden will also be available.

This year we are also offering four Build a wreath workshops, with lessons from expert students and volunteers. Classes start at: 11:00am, 11:30am, 12:00pm, and 12:30pm.

Please purchase and book in advance to reserve! When you purchase online, you can come and pick up your reserved plants at the open house. For large orders, special arrangements for delivery can be made. The Nathan Hale Urban Farm Greenhouse is located above the Jane Addams parking lot, 113th and 31st NE.

Whether you plan to purchase or not, please come enjoy cookies, cider, and great company!

A message from NHCO, your Nathan Hale Community Organization (formerly PTSA)

It was great meeting some parents and guardians for coffee last Wednesday. Thank you to Marina Gray for sharing ways we can get involved to address some of the recent safety concerns. A note of gratitude to the parents and guardians that are stepping up to oversee the December 12th Staff Appreciation Breakfast. Please know the goal of NHCO is to foster a supportive, friendly and welcoming atmosphere for our community. NHCO helps the school by providing hospitality for events and stepping in to help when immediate needs arise. NHCO welcomes input and needs more volunteers, especially in leadership roles. Please email Katie Fleming nhcoconnections@gmail.com to learn more.

Safety Update: School ID & Food Deliveries

Due to an increase in school safety concerns, we are implementing a new school ID policy. We are asking both students and teachers to wear their School IDs on a lanyard, around their necks beginning Monday November 27th. The school will provide a lanyard to students within the next two weeks. We will continue this "soft" rollout until we break for winter break. After Winter Break, IDs will be mandatory daily. All students who do not have an ID card should stop by the Main Office to either pick up their card (from previous photo days) or sign up for Security to take their photo.

Reminder: Nathan Hale is a locked door campus with a doorbell for access. Visitors, including parents, need to come to the main entry (by the visitor parking lot) and stop at the main office when dropping off items for students or going to attendance. Due to safety concerns, we want to remind families that we cannot accept food deliveries from DoorDash, Uber eats, etc. at the main office. We will not allow delivery providers in the building; they need to wait outside the building for student/staff to meet them and pick-up the item.

Careers in Healthcare

Do you want to be a healthcare professional someday? Are you curious about careers in the medical field? Come to the library during mentorship on Wednesday, November 29th to meet some doctors and medical students for a panel discussion and Q&A session.

Reminders for Senior Class of 2024

Make sure to check out the Seniors – Class of 2024 webpage on our website for important information for Seniors and the Senior Countdown calendar. Included on the webpage or on the countdown calendar is information regarding the following:

- Cap and Gown orders are due December 15th
- Senior Photo for Yearbook due January 22, 2024

Volunteering at Nathan Hale

If you would like to volunteer at Nathan Hale and have not completed the district volunteer application form and had your background check cleared, please complete the forms/process found on the district Volunteer - Apply or Renew webpage.

If you are a returning volunteer (meaning you have filled out an online volunteer application in the past, and have a file created already) you would follow the steps available on the Renew or Update Your Volunteer Application webpage.

If you are cleared at another school but didn't indicate you would volunteer at Nathan Hale on your application, please go back into your application and select Nathan Hale as one of your schools so we can view your "Approved" status.

Finally, if you have any questions, please contact Rae Keyes at rkkeyes@seattleschools.org or in the office at 206.252.3680.

Much love,

William Jackson, Ed.D. (he,him)
Principal
Nathan Hale High School

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EXHIBIT 6

From: William Jackson <wljackson@seattleschools.org>
Sent time: 04/05/2024 04:54:15 PM
To: ELSHAFKIND@SEATTLESCHOOLS.ORG
Subject: NHHS Friday 4/5 Message to Families

Beloved Families,

I hope you are looking forward to Spring Break next week. When we return, we will have about 10 weeks of school remaining. During the break, encourage your student to get outside, avoid too much screen time, get good rest, and hopefully come back from break ready to finish the school year strong! The Nathan Hale High School Foundation's annual HaleYes! event is less than a month away. The Foundation does amazing work providing support for our Hale community, learn more here. Join us for this special 60th anniversary "Hale Through the Ages" celebration on Saturday, April 27th, click here to buy your tickets today!

As a reminder, there will be no school April 8th through April 12th for Spring Break. During the break, both the Teen Health Center and FamilyWorks will be closed. They will return to their regular hours starting Monday, April 15th.

Transgender Day Of Visibility, March 31st

This past Sunday, March 31st was Transgender Day of Visibility. This special day is in honor and dedication to transgender people and to raise awareness of the discrimination faced by transgender people worldwide, as well as a celebration of their contributions to society. The first International Transgender Day of Visibility was held on March 31, 2009. My apologies for missing this in the last Friday Message!

Senior Class Updates

Cap & Gown Distribution – We have two dates scheduled when National Achiever will be on site to hand out caps and gowns to those who ordered them. The two dates scheduled are April 29th and May 15th. The time has yet to be determined but will likely be towards the end of the day.

Buy SPREE Tickets Now! – From the SPREE Parent Committee: Parent donations raised enough money so tickets this year are just $145! Use this link rb.gy/i3gib2 to register. Seniors should contact their counselor for information about scholarships. SPREE Website: https://nathanhalecommorg.wordpress.com/class-of-2024-spree/

Check Spelling of Name – When seniors return from spring break, they are encouraged to stop by the Main Office to check the spelling of their name for the graduation program and diploma.

Smarter Balance Assessment

The Smarter Balanced (SBA) English/Language Arts exam will be administered in the 10th grade LA/Social Studies classes the week of April 22nd – 26th. These state assessments measure students' progress toward college and career readiness as well as the progress of our educational system as a whole. The SBA-ELA is a computer adaptive test. It presents an individually tailored set of questions to each student and is designed to accommodate all students including students with IEPs and English language learners. The Smarter Balanced tests can be used to meet a student's graduation pathway. Most state universities and colleges will use the SBA scores for course-level placement.

From the NH Community Organization

Mark your calendars for the next NHCO (Nathan Hale Community Organization) meet and greet Tuesday April 30th at 6:30PM.

Also, please consider signing up to help with the lunch for the guest speakers and other volunteers for Climate Day of Action April 24th. While you've got your calendars out, we also need help with Staff Appreciation events May 7th and 9th (how we show our teachers, administrators and building staff how much we love and value them!). To all you non-senior families, consider helping plan and/or work the most anticipated event of the year...the graduation reception! Email Katie Fleming nhcoconnections@gmail.com or text 206-354-5161 to hop on the end of the school year *express!*

Buy Your Tickets for Spring Musical - Cinderella

The clock has chimed 12 times and that means it's time to buy tickets for Hale's spring production of *Rodgers and Hammerstein's Cinderella*! This iconic musical puts a new twist on the classic story of pumpkin carriages and glass slippers. Come see *Cinderella* in Hale's Performing Arts Center at 7:00PM May 2nd, 3rd, 4th, 10th, and 11th. We also have a sensory friendly matinee Saturday May 11th. For more information check out our website nathanhaletheatre.com or follow us on Instagram @nathan_hale_theatre. See you there! Purchase tickets here.

A reminder that Nathan Hale unequivocally denounces racism, discrimination, and religious bigotry. Antisemitic, Islamophobic, or anti-LGBTQ speech, acts, or symbols will never be tolerated in our school. I take my responsibility to create a welcoming and inclusive environment very seriously. We expect everyone to be treated positively, without fear of bullying or intimidation. As a school and district, we are dedicated to creating inclusive environments and reducing prejudice.

When we return from spring break, I will be meeting with several student groups to engage students who may have felt targeted by graffiti around our building. We will hold restorative circles with these students to give space with peers and caring adults for them to share their experience.

The Nathan Hale school leadership team is creating a plan to make this a teachable moment for our students. We will lead our students in a schoolwide discussion about the importance of building up our community as a place of inclusivity, respect, and equity.

I urge our community to recognize that students are in a crucial phase of development. Please engage with your student about the perpetuation of hate and racism.

Families play an important role in discussing these issues with their students. Here are some resources for having these discussions with your students:

- Common Sense Media – How to Talk to Kids about Violence, Crime, and War
- American Psychological Association – Resilience in time of war
- Talking to Kids about Race and Racism
- The Anti-Defamation League resources

If your student is feeling anxious or would like to talk about this with a trusted adult at school prior to our school-wide discussion or at any time, please encourage them to reach out for support. Additionally, Crisis Connections provides a 24-hour crisis line at 866-427-4747 and students can also access Teen Link at 866-833-6546.

If you or your student has any concerns regarding harassment, intimidation, and bullying, please share them with me or our school administration, so we can adequately support and ensure school safety. Concerns can also be sent to the Seattle Public Schools Office of Student Civil Rights at OSCR@seattleschools.org.

We hope you and your family have a safe, restful and renewing spring break. We will see your student back in school on Monday, April 15th.

Much love,

William Jackson, Ed.D. (he,him)
Principal
Nathan Hale High School

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EXHIBIT 7

From: J.K.
Sent time: 11/08/2023 08:42:50 PM
To: Jackson, William L <wljackson@seattleschools.org>
Cc: R.L.
Subject: Re: NHHS Student Walkout Thu 11/9

Thank you for responding so quickly. I was composing this follow up email when your response came in.

I am reaching out again after speaking further with M.K.L. this evening. She was not as forthcoming initially when she was explaining to me what's been going on at school. The situation is clearly much worse than I had realized. I think we need to talk. M.K.L. is being harrassed on what sounds like a daily basis now. She has been threatened and told she should kill herself for being Jewish. Today she was surrounded by a large group of kids all up in her face where she felt she had nowhere to go and had someone spit in her face and was told she'd "do it again" and that M.K.L. "deserved it" for being Jewish.

I will be keeping her home tomorrow. M.K.L. was told that people would be looking for her and would jump her if she wore her Chanukah pants to school. I do not believe that Nathan Hale will be a safe space for M.K.L. Despite the presence of Jewish educators and the JSU, M.K.L. has talked tonight about education surrounding Islamophobia and none regarding antisemitism which she is now facing on a daily basis over the last month. Whatever is being done, it is clearly not enough.

This is all very alarming and my child is now afraid. What I thought were veiled threats earlier are actual threats to her physical safety and wellbeing and she is talking about what she will do if she gets jumped. She is scared. So am I. I know you have my number from previous conversations. My schedule is pretty flexible tomorrow so please do reach out to me.

J.K.

On Wed, Nov 8, 2023 at 8:36 PM Jackson, William L <wljackson@seattleschools.org> wrote:

> Good Evening J.K. and R.L.
> Thank you for reaching out, and sharing your concerns. I am so sorry to hear what is going on with M.K.L. and the antisemitism she is experiencing. I do not stand for any hate, so this saddens me. I wish she felt safe to report these things happening. Please encourage her to do so.
>
> I want to also share that we have a very powerful group of educators that are Jewish who create space for Jewish students, Jewish Heritage, and Jewish identity in our Jewish Student Union. They have been instrumental in these weeks, and it has been very helpful for students.
>
> Although this does not resolve the tension and angst for tomorrow, I do want you to know there are safe spaces for Jewish students.
>
> I am also happy to talk further tomorrow if you have a phone number to call. Thank you again for reaching out here,
>
> William Jackson, Ed.D(he,him)
> Principal
> Nathan Hale High School
>
> ---
>
> **From:** J.K.
> **Sent:** Wednesday, November 8, 2023 7:43 PM
> **To:** Jackson, William L <wljackson@seattleschools.org>
> **Cc:** R.L.
> **Subject:** Re: NHHS Student Walkout Thu 11/9
>
> Dr. Jackson,
>
> Thank you for your thoughtful communication this school year and for being the kind of leader who makes me feel that you truly want to see and know the community. I honestly feel that reaching out to you is not a waste of time and that my concerns will be met with care and respect. I want to make sure that you are aware that the context of tomorrow's walk out, and the community of Nathan Hale in general, has created an unsafe space for my family and other Jewish families.
>
> M.K.L. has not wanted to report what she is hearing for fear of retaliation and becoming a target, but she walks the hallways knowing that she is identified as Jewish, and yet the kids around her brazenly say things like "I hate the Jews" and "Hitler's plan should have worked." I am afraid for her as well. Our synagogue had the police and a HAZMAT team doing an investigation in full garb during religious school a few days ago because, like other local synagogues, Temple Beth Am received a package with

white powder that was meant to be a threat. We were essentially the targets of low level terrorism.

M.K.L. is proud of who she is and of being Jewish. She is named for my grandmother who fled the Holocaust after being beaten up by Hitler youth and who became orphaned when her own mother was murdered in one of the death camps. We mourn the loss of every life, regardless of the person's nationality or religion. What is happening is horrifying on so many levels. But the kind of conversation happening on campus at Hale are full of vitriol and xenophobia, targeting Jews and spewing hyperbole about the actions of the Israeli government. I am by no means an expert and do not support the current policies of their government any more than I supported the previous United States' administration and it's inhumane treatment of others. However, all kids and families need to feel that school is a safe space. While Islamophobia is abhorrent and wrong and should not be tolerated, the same is true of the antisemitism that is taking hold on campus.

Please take this seriously. Please do something to address this with a sense of urgency. I never want to hear that my child is listening to veiled death threats from her peers. I have spoke with other Jewish parents this evening and we are afraid for our kids. We don't even know if it's safe to send them to school tomorrow. Please help me to trust that Nathan Hale is a safe place to send my daughter to learn and grow.

Sincerely,

J.K.

On Wed, Nov 8, 2023 at 5:01 PM William Jackson <wljackson@seattleschools.org> wrote:

> Beloved Families,
>
> We have learned that students have planned a student walkout for tomorrow, November 9th in the morning. I do want to share that students who walk out of school will be marked absent, as they are not accounted for in our school and community. For our attendance policies, please go to our Nathan Hale Attendance webpage. Please see portion (below) from the 2023-2024 Student Rights and Responsibilities on Student Safety During Protests:
>
> ***Student Safety During Protests***
>
> *Student safety is a top priority. When students leave our campuses, we are no longer able to assure student safety. For this reason, when a school or the district learns about a planned walkout or any instance where groups of students might be departing campus, the district's Safety and Security Department will work closely with the Seattle Police Department (SPD) so they can monitor the safety of our students as travel away from district property and out of our care. Through this coordinated effort, students have had appropriate supports as they exercise their First Amendment rights.*
>
> You may want to ask your student whether they intend to participate in the walkout and discuss appropriate speech and behavior when participating in peaceful civic engagement activities.
>
> Much love,
>
> William Jackson, Ed.D. (he,him)
> Principal
> Nathan Hale High School

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EXHIBIT 8

Docusign Envelope ID: B52CA48F-5F71-4215-885F-3F1B63F28ADA

SEATTLE PUBLIC SCHOOLS
STANDARD TORT CLAIM

RECEIVED
APR 08 2025
SEATTLE SCHOOL DISTRICT
GENERAL COUNSEL'S OFFICE

Pursuant to RCW 4.92, this form is for filing a tort claim against the Seattle School District. Some of the information requested is required by RCW 4.92.100 and may be subject to public disclosure.

NOTICE: No damages can be paid by Seattle Public Schools unless a claim complying with Washington State law is presented to the General Counsel's Office. Please direct all questions to the General Counsel's Office at (206) 252-0110. ***Also note, if a settlement check is mailed to you, if for whatever reason the check does not arrive and is presumed to be lost, stolen, and/or misplaced, a replacement check will be reissued after a 15-day waiting period from the date of notice the check is missing.***

INSTRUCTIONS: 1) Complete form, giving specific details about your damage or loss, including dates, times, and witnesses; 2) sign and have the form notarized; and 3) return form to **Seattle Public Schools, General Counsel's Office, MS 32-151, P.O. Box 34165, Seattle, Washington 98124-1165**.

CLAIMANT: [redacted] M.K.L.

First Middle Last

CLAIMANT'S PARENT/GUARDIAN: [redacted] J.K. and [redacted] R.L.
(Provide if Claimant is under 18) First Middle Last

ADDRESS: C/O Seattle Litigation Group, PLLC, 1215 4th Ave., STE 1100 Seattle WA 98161
Street City State Zip Code

HOME PHONE: [redacted] PII WORK PHONE: [redacted] PII AGE: 15

THE FOLLOWING INFORMATION IS REQUESTED PURSUANT TO FEDERAL LAW, SECTION 111 OF THE MEDICARE, MEDICAID, AND SCHIP EXTENSION ACT OF 2007 (MMSEA):

ARE YOU CURRENTLY ELIGIBLE FOR OR COVERED BY MEDICARE? Yes _____ No X

HAS THE INJURED PERSON BEEN ON SSDI FOR 2 OR MORE YEARS?: Yes _____ No X

ADDRESS SIX MONTHS BEFORE LOSS/ACCIDENT OCCURRED:
[redacted] PII
Street City State Zip Code

DATE OF ACCIDENT throughout the 2023-2024 school year TIME OF ACCIDENT _____ AMOUNT CLAIMED $[redacted]

LOCATION OF LOSS/ACCIDENT Nathan Hale High School

DESCRIPTION OF LOSS/ACCIDENT (Please describe in detail how the loss/accident occurred.)
See attached.

Docusign Envelope ID: B52CA48F-5F71-4215-885F-3F1B63F28ADA

(continued on reverse side)

Docusign Envelope ID: B52CA48F-5F71-4215-885F-3F1B63F28ADA

INJURIES RELATED TO ACCIDENT (If you were injured, please describe injuries in full.) See attached.

Identify physician(s) or any other medical professional(s) involved: See attached.

If Claimant received medical treatment, total amount of unreimbursed medical bills $ TBD. (Please attach all medical bills.)

Are you still receiving medical treatment, Yes or No? See attached.

SEATTLE SCHOOL DISTRICT'S INVOLVEMENT (Why do you feel the Seattle School District is responsible for the injury described above?) See attached.

WITNESSES (Please give phone numbers and addresses):

1) See attached.

2)

3)

I swear this is a true and accurate statement:

Signature of Claimant

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1 DAY OF April, 2025.

NOTARY PUBLIC in and for the State of Washington,
Residing at .
My commission expires: .

SEATTLE LITIGATION GROUP, PLLC
1215 4th Ave, Suite 1100, Seattle, WA 98101

Office: (206) 407- 3300
Fax: (206) 407-3097
info@seattlelitigation.com
www.seattlelitigation.com

Via regular mail

April 3, 2025

RECEIVED
APR 08 2025
SEATTLE SCHOOL DISTRICT
GENERAL COUNSEL'S OFFICE

Seattle Public Schools
General Counsel's Office, MS 32-151
P.O. Box 34165
Seattle, Washington 98124-1165

Re: [redacted] (Tort Claim)

This addendum shall be attached to the Tort Claim Form filed of the same date.

Dear Seattle Public Schools,

Introduction

Enclosed is a tort claim brought by [redacted] through her parents/guardians, [redacted] and [redacted] against Seattle Public Schools ("SPS") for discrimination based on antisemitic bullying, violence, and harassment occurring within Seattle Public Schools.

Background

[redacted] endured rampant antisemitism throughout the 2023-2024 school year following the October 7, 2023, attack on Israel by Hamas. [redacted] and her parents repeatedly brought the increasingly hostile learning environment at Nathan Hale High School to the attention of the administration, including both Principal Dr. William Jackson and VP Makela Stewart Monroe, who failed to meaningfully intervene during the school year and whose inaction resulted in more and more brazen antisemitic incidents.

This failure to respond culminated in a hate crime on May 22, 2024, in which a group of approximately twenty students (the district has refused to provide the video timely despite our urgent request and denied its existence) chased [redacted] through the school, threatening to physically assault her based on her Jewish identity. [redacted] hid in a locked classroom with her teacher for approximately twenty minutes, fearing for her life.

This incident and the incidents leading up to it have caused [redacted] significant distress and resulted in her missing the last several weeks of the school year and requiring significant therapeutic intervention. [redacted] and her parents continue to experience anxiety and panic and do not know what her educational future will hold.

Beginning of Antisemitic Incidents at Nathan Hale

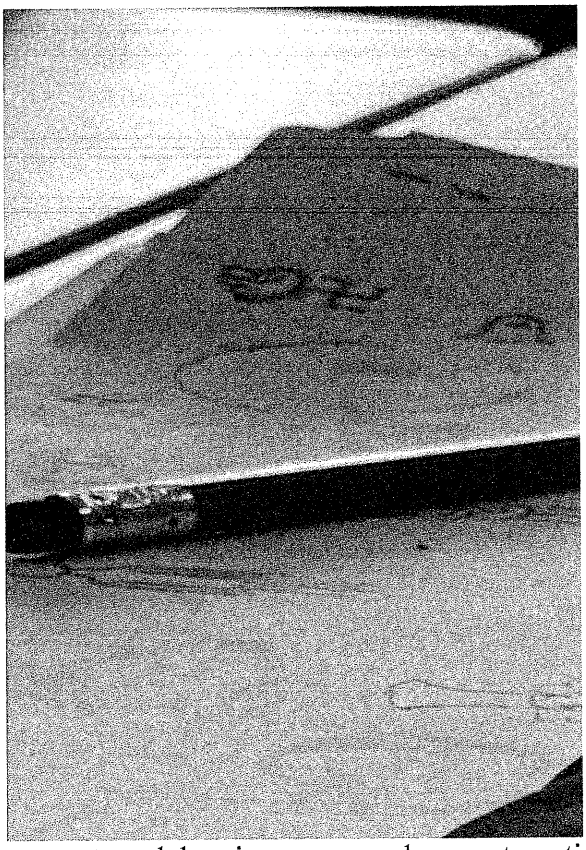
M.K.L. is a fifteen-year-old student who just completed her freshman year of high school. She is proudly Jewish, often wears a Star of David necklace, and is actively involved in the Jewish Student Union (JSU). Following the October 7, 2023, attack on Israel by Hamas, tensions began to rise among the student body at Nathan Hale. As one of a very small number of openly Jewish students on campus, M.K.L. was a highly visible target to her classmates. For weeks after the October 7th attack, M.K.L. had been hearing antisemitic slurs spoken both in classrooms and in the hallways as kids passed her by. This was reported to Dr. Jackson once this escalated from bigoted slurs of "Hitler's plan should have worked" and "I hate the Jews" to aggression and threats of physical violence directed toward M.K.L. specifically.

A month following the attacks, there was a highly publicized walkout in support of Palestine planned for November 9, 2023. Out of frustration based on M.K.L. support of Israel and Israeli family, M.K.L. took down a single flier of the many lining the halls. Removing this single flier resulted in a group of kids surrounding M.K.L. and yelling at her, accusing her of being racist and Islamophobic. One girl was yelling so close to M.K.L. face that she was spitting on her, saying she'd "do it again" and that M.K.L. "deserved it" for being Jewish. M.K.L. was told that people would be looking for her and would jump her if she wore her Chanukah pants to school. After being targeted for weeks based on her Jewish identity, M.K.L. was concerned about retaliation if she reported these things. However, after the threats of physical violence, M.K.L. mother reached out to Dr. Jackson. His response was an offer to talk on the phone, not in person. When pressed, Dr. Jackson agreed finally to an in-person meeting with M.K.L. and her mother. They met with Dr. Jackson, who promised to review the security footage to identify who had been harassing M.K.L.. J.K., M.K.L. mother, and M.K.L. reported to Dr. Jackson that M.K.L. had faced harassment on a daily basis, including being told to "kill herself" due to being Jewish. Dr Jackson stated that he had been aware the harassment was far more than just the one incident of spitting and threats, but that she was harassed on a daily basis and that M.K.L. had been told she should kill herself for being Jewish. M.K.L. parents kept her home from school the day of the walkout based on these threats.

Over the fall and winter, the harassment continued as several students were using racial slurs and insults in addressing M.K.L.. During the winter, M.K.L. was in the bathroom speaking with another Jewish student, when another student came into the bathroom and yelled "shut the fuck up" about being Jewish. This same student would frequently stare at M.K.L. in a threatening manner and would loudly tell other students that M.K.L. is Islamophobic. M.K.L. believes that this student spread misinformation about M.K.L. being Islamophobic based on a cultural stereotype that Jewish people are inherently opposed to Muslims, which is obviously false.

As the year progressed, the antisemitic incidents M.K.L. experienced intensified. The ninth-grade curriculum at Nathan Hale included a section on Holocaust studies with all ELA classes reading the book *Night* by Eli Wiesel. *Night* details the author's experience during the Holocaust. In class discussion, M.K.L. spoke about her relatives, telling of her grandmother who was orphaned when she fled Germany as a girl, and other family members including some of whom were killed in concentration camps. Kids would laugh while the book was being read aloud in class and this routinely went unaddressed. M.K.L. was an obvious target of much antisemitism,

but she was not the only one to be affected by this growing culture of hate. Another Jewish student reported on stophateinschools.org that a classmate stated that "the bad thing about this book is that Hitler didn't finish." Additionally, while discussing *Night*, a peer stared threateningly at M.K.L. and drew a swastika on her folder.

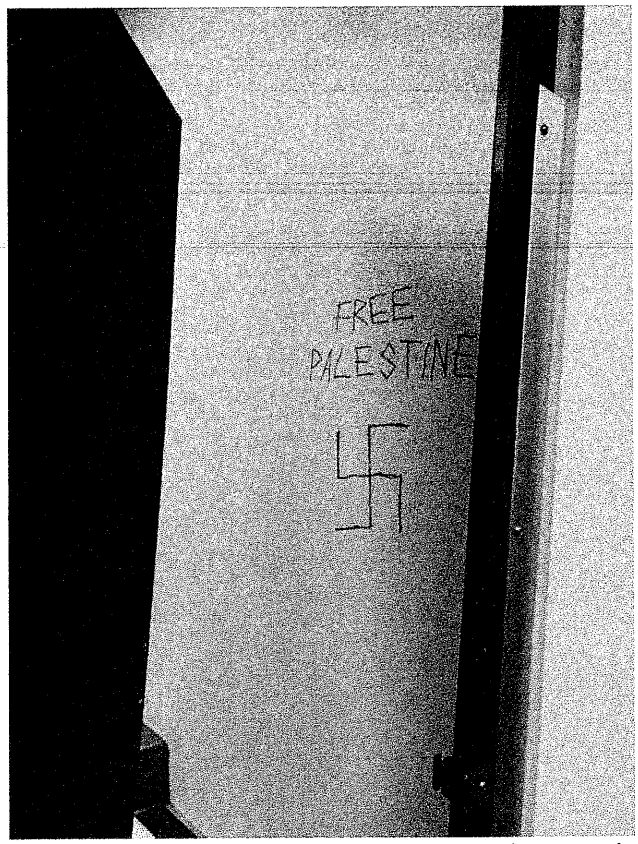


These shocking statements and drawings are merely symptomatic of the casual acceptance of hate speech and symbolism. Students clearly felt emboldened to engage in overt antisemitism and emboldened by the school administration's inaction.

In November 2023, a group of students surrounded M.K.L. in the hallway in a heated exchange about the war in Palestine, and one student spat on her face while expressing antisemitic sentiments. J.K. reported this incident to Dr. Jackson and requested that he pull hallway security footage of this incident. To this date, the District has not provided this footage, which has almost certainly been deleted at this point. Dr. Jackson's failure to intervene by collecting this footage or otherwise addressing this violent and widespread antisemitism emboldened students to continue without any consequences.

Similarly, students weaponized the "Free Palestine" movement to antagonize M.K.L. While students are clearly entitled to engage in political speech and discuss current events at school, this repeatedly bullying directed at M.K.L. crossed the line into overt, heinous antisemitism.

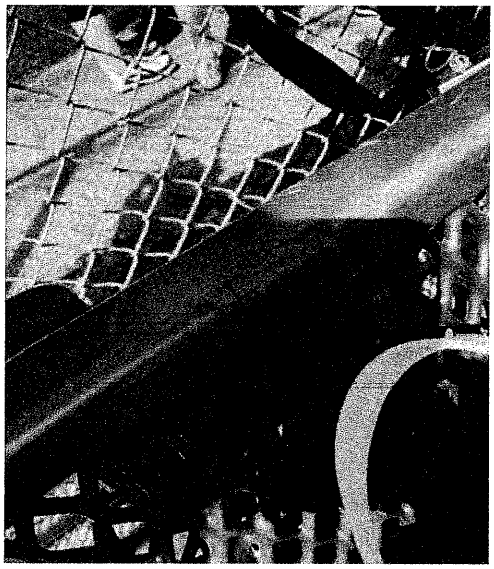
For instance, in April 2024, M.K.L. came across a bathroom stall which had "free Palestine" written on the wall, with a large swastika underneath. Similar graffiti featuring swastikas paired with "free Palestine" appeared throughout the school.



J.K. repeatedly contacted Dr. Jackson to report the growing ubiquity of this hate symbol at school and its contribution to her daughter's hostile learning environment. Dr. Jackson promised an investigation into this and to provide training for the school on antisemitism. To date, we are unaware of the results of any investigation or any substantive efforts to train students on antisemitism. Dr. Jackson regularly did not respond to emails from J.K. about these urgent concerns. The school administration never attempted to mitigate this hostile environment for M.K.L. and other Jewish students, including never even taking the cursory step of emailing the student body to address the swastikas showing up all over campus.

Continued Antisemitic Incidents

There was no safe space for M.K.L. and no reprieve. On April 30 someone drew a swastika on the bench in the dugout used by the Hale softball team.



M.K.L. is the only Jewish student on the softball team, and this was done only in the dugout used by the girls' home team and not on any of the five other dugouts on the fields. This certainly came across as having been directed at M.K.L. But when she reported the swastika to assistant coach Amelie, she dismissed this, saying it "didn't look like a swastika to her." M.K.L. was shaken by this and was deeply saddened by her coach's dismissal of the incident. Though it may have been poorly drawn, it was clearly a swastika. Coach Amelie then approached M.K.L. sitting alone on the grass to ask why she was crying and suggested it was because M.K.L. hadn't been up to bat, ignoring the graffiti clearly meant to target her. The head coach ended up telling M.K.L. that he would report the hate symbol to the principal.

The pervasive culture of antisemitism at Nathan Hale had become untenable and inescapable for M.K.L.. While some attacks were verbal and physically threatening, others were more subtle like when a classmate said to her, "you dropped this" then handed M.K.L. a paper with the words "Free Palestine" on it. Regardless, the harassment and intimidation were never ending. J.K. reported each incident to Dr. Jackson and/or other Nathan Hale administrators to no effect. Additionally, M.K.L. consistently reported these incidents to teachers, coaches and the administration.

It was not only while she was physically at school that M.K.L. was being harassed. She was being cyberbullied as well and, in the spring, this morphed from comments and messages from individual students to insults and attacks coming from the Nathan Hale Muslim Student Association Instagram account. Again, this was brought to Dr. Jackson's attention with no known response and no apology or investigation into who was responsible for this cyberbullying. Another student posted a TikTok video accusing M.K.L. of being blatantly racist and using a racial slur. The school did not respond to this incident and the video remained. The rumors quickly spread so that not only was M.K.L. facing antisemitism from within the Hale community, but students from other local schools began shunning her believing these allegations of bigotry. This conflation of her Jewish religious identity, political opinion, and allegations of racism/Islamophobia is inherently antisemitic. This cruelty invokes stereotypes to reduce this young woman's Jewish identity and diminishes her Jewish religion and culture.

May 22, 2024, Incident

The buildup of a school years' worth of antisemitic bullying, violence, and harassment culminated in an incident on May 22, 2024. On this date, students were coming into M.K.L. classes one or two at a time trying to get her out in the hallway. This went on throughout the day until the final class.

In her 6th period, her teacher, Ms. Lynch became suspicious that these attempts to pull her from class were a real threat to M.K.L. safety and repeatedly sent the kids back out. As class was ending, she could see a group forming in the hall and pulled M.K.L. aside to stay back and then locked the door, keeping M.K.L. inside with her. It was at this time that a group of about twenty students gathered outside of Ms. Lynch's classroom. They were banging on the door and yelling for M.K.L. to come out, all the while she was getting texts from others warning her that these kids were out to jump her. Ms. Lynch called for security. She kept M.K.L. locked inside the classroom with her for 5 long minutes while this mob of students yelled threats, banged on and rattled the door, and used antisemitic slurs.

She texted her mother at 2:30 pm with the frantic message "Mom. I rlly rlly rlly need you" and then phoned her dad. Her father spoke to Ms. Lynch who told him she had M.K.L. behind the locked door to keep her from getting beaten up by kids whom he could hear trying to get into the room. It is impossible to overstate how terrifying this incident was to M.K.L. and her parents. M.K.L. believed that if the students were able to access her inside the locked classroom, these students would physically attack her and she feared for her life.

J.K. finally spoke to a tearful and very shaken M.K.L. when she was being escorted to the office by security. Though she was given an escort, the day following this attempted attack, Vice Principal Makela Steward-Monroe explained to J.K. that the school did not have the resource to protect M.K.L. and that they could not continue with escorts for M.K.L. throughout the halls. Due to these safety concerns, M.K.L. was unable to return to Nathan Hale for the remainder of the school year.

May 2024 to present

The repeated victimization of M.K.L. within her hostile learning environment has caused M.K.L. such emotional distress that she was unable to return to Nathan Hale High School after the May 22, 2024, event. She remains terrified that she will be attacked by her former peers should she return to campus. M.K.L. has experienced poor sleep and terrifying nightmares and flashbacks related to the unabated antisemitism she endured at Nathan Hale. M.K.L. was additionally unable to complete much of her schoolwork for the term and has requested a safety transfer to a different high school. The District refused to provide that and instead invited her to engage in a typical transfer process like any student changing schools instead of the victim of a hate crime seeking sanctuary and a fresh start.

In an IEP meeting on June 3rd at Nathan Hale with M.K.L. family, Dr. Jackson refused to attend remotely and attended by Zoom although the family understood him to be down the hall in the building. The High School agreed that because M.K.L. couldn't safely return to Nathan Hale

they would give her a pass/fail grade in certain course. When asked what steps he had taken responsive to the May 22nd incident to "teach students that Islamophobia is never okay, Antisemitism is never okay, and all students have a right to be safe at school," Dr. Jackson failed to provide any answer and promptly went off camera for the remainder of the meeting. This leadership failure and disregard was simply the continuation of M.K.L. devastating experience at Nathan Hale High School. This behavior from leadership, reinforced for her family that the district was unwilling to alleviate M.K.L. hostile learning environment and unwilling to mitigate the distress she endured. M.K.L. continues to suffer because of her experience last school year. She was very recently further traumatized when she received her transcript and discovered that Nathan Hale had not held up their promise to give M.K.L. pass/fail grades in certain courses, negatively impacting her GPA.

M.K.L. is a student on an IEP with diagnosed anxiety disorder who is now demonstrating trauma symptomology as a result of her experience at Nathan Hale High School. M.K.L. continues to experience severe repercussions from this trauma. She has experienced nightmares, flashbacks and sleep disturbances, fear of going into public (especially given that the family resides very close to Nathan Hale High School), and severe anxiety. Ultimately, as a result of the District's failure to create a safe environment, M.K.L. has transferred to another school district.

Respectfully,

SEATTLE LITIGATION GROUP, PLLC

Signed by:
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Emma L. Aubrey, WSBA No. 52076
emma@seattlelitigation.com